

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA
Plaintiff

v.

MICHELLE A. GREEN
Defendant

Case Number 4:97CR3016
USM Number: 42925-008

Thomas Lamb
Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)
(For Offenses Committed On or After November 1, 1987)

THE DEFENDANT admitted guilt to violation of standard conditions 2 and 7 and special conditions 3, 4, and 7 of the term of supervision.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1. (Standard Condition #2)	The defendant shall report to the probation officer as directed by the court or the probation officer and shall submit a truthful and complete written report within the first five days of each month.	November 23, 2005
2. (Standard Condition #7)	The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.	November 17, 2005
3. (Special Condition #7)	The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to any controlled substances, except as prescribed by a physician.	August 17, 2005
4. (Special Condition #3)	The defendant shall attend, pay for and successfully complete any diagnostic evaluation, treatment or counseling program, or approved support groups (e.g., AA/NA) for alcohol and/or controlled substance abuse, as directed by the United States Probation Officer.	November 21, 2005

5. (Special Condition #4)

The defendant shall pay for, attend and participate in good faith in an inpatient or outpatient mental health program as directed by the United States Probation Officer. In addition, the Defendant shall pay for and take any additional drug or alcohol testing as may be requested by the United States Probation Officer.

August 3, 2005

Original Offense: Conspiracy to distribute methamphetamine in violation of 21 USC 846 and 841(a)(1).

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Following the imposition of sentence, the Court advised the defendant of her right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
November 30, 2006

s/ Richard G. Kopf
United States District Judge

December 1, 2006

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IMPRISONMENT

It is ordered the term of supervised release is revoked. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **TIME SERVED**.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this ____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the ____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this ____ day of _____, _____

UNITED STATES WARDEN

By: _____

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **twenty-four (24) months**.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) the defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities (including, but not limited to, complying with the terms of any court order or administrative process pursuant to the law of a state, the District of Columbia, or any other possession or territory of the United States requiring payments by the defendant for the support and maintenance of any child or of a child and the parent with whom the child is living);
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered or other places as specified by the court;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit the defendant at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;

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STANDARD CONDITIONS OF SUPERVISION - CONTINUED

- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of the risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirements;
- 15) the defendant shall not own, possess or control any firearms or ammunition, destructive devices or dangerous weapons;
- 16) the defendant shall pay any special assessment, fine, or restitution obligation imposed by this judgment that remains unpaid at the commencement of the term of probation or supervised release in accordance with the payment schedule of criminal monetary penalties set forth in this judgment; and
- 17) the defendant shall notify the probation officer of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay any unpaid amount of restitution, fines, or special assessments.

These conditions are in addition to any other conditions imposed by this Judgment.

SPECIAL CONDITIONS OF SUPERVISION

1. Paragraph #8 of the Standard Conditions of Supervision is modified. Instead of merely refraining from excessive use of alcohol, the defendant shall not purchase or possess, use, distribute, or administer any alcohol, just the same as any other narcotic or controlled substance.

2. Defendant shall be subject to search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the United States Probation Officer to determine the presence of alcohol and/or controlled substances,

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firearms, or any other contraband. Any such items found may be seized by the United States Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.

SPECIAL CONDITIONS OF SUPERVISION - CONTINUED

3. Defendant shall attend, pay for and successfully complete any diagnostic evaluation, treatment or counseling program, or approved support groups (e.g., AA/NA) for alcohol and/or controlled substance abuse, as directed by the United States Probation Officer. In this regard, the Defendant shall remain at the Oxford House for a period of no less than six (6) months following sentencing and she is directed to follow the terms and conditions and rules and regulations of the Oxford House and successfully complete that program. This period of six months at the Oxford House may be shortened if the probation officer reasonably determines that such placement is no longer necessary.

4. Defendant shall pay for, attend and participate in good faith in an inpatient or outpatient mental health program, as directed by the United States Probation Officer. In addition, the Defendant shall pay for and take any additional drug or alcohol testing as may be requested by the United States Probation Officer.

5. At least six months prior to the completion of probation, the Defendant shall have completed two hundred fifty (250) hours of volunteer unpaid community service at an agency approved by the supervising probation officer performing such tasks and duties as are approved by the supervisor of the agency and the supervising probation officer in a manner and on a schedule to be arranged by the probation officer.

6. Defendant shall provide the United States Probation Officer with access to any requested financial information.

7. The defendant shall have no in-person contact with Cisco Hernandez unless permitted by the supervising probation officer.

8. 12 months of the term of Supervised Release are to be spent at Project Mother & Child.

9. Defendant shall report to the United States Probation Office for the District of Nebraska between the hours of 8:00 a.m. and 4:30 p.m., 100 Centennial Mall North, 530 U.S. Courthouse, Lincoln, NE (402) 437-5223, within seventy-two (72) hours of being placed on probation and every time thereafter as directed and ordered by the probation officer.

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth below.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Count 1	\$ 100.00		

Totals: **\$ 100.00-PAID 2/18/99, RECEIPT #40961**

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total criminal monetary penalties shall be due as follows:

The \$100.00 special assessment was paid on 2/18/99, Receipt #40961.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

All financial penalty payments are to be made to the Clerk of the U. S. District Court, P.O. Box 83468, Lincoln, NE 68501-3468.

The defendant shall inform the probation officer of any change in his or her economic circumstances affecting the ability to make monthly installments, or increase the monthly payment amount, as ordered by the court. In the event a defendant is able to make a full or substantial payment toward the remaining criminal monetary penalty, he or she shall do so immediately.

The defendant is restrained from transferring any real or personal property, unless it is necessary to liquidate and apply the proceeds of such property as full or partial payment of the criminal monetary penalty.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk